

REMARKS

This Response is submitted in reply to the Office Action mailed on October 22, 2007. The Office Action is a restriction requirement. In this regard, restriction is required between three alleged groups of invention: Group I (Claims 1-7, and 12-13); Group II (Claims 8-9); and Group III (Claims 10 and 11). Applicants elect, without traverse, Group III (Claims 10 and 11). Applicants expressly reserve the right to file one or more divisional applications directed to the non-elected claims.

The Patent Office also requires Applicants to elect the presence or absence of a molecule that stimulates energy metabolism and presence or absence of an antioxidant. In addition, Applicants are required to elect a type of composition enumerated in Claims 4-5. Applicants note that Claim 2 sets forth a Markoush group of different types of molecules that stimulate energy metabolism. Claim 3 sets forth a Markoush group of different antioxidants.

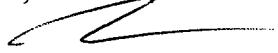
Applicants note that neither Claims 10 nor 11 identify a specific antioxidant or a molecule that stimulates energy metabolism nor the compositions of Claims 4-5. Accordingly, Applicants elect, with respect to this election of species, that the methods of Claims 10 and 11 include a molecule that stimulates energy metabolism and an antioxidant. Applicants reserve the right to file a divisional application to the non-elected species.

Applicants note that because they have not elected Group I which includes Claims 2-3 and 4-5, that they do not believe an election of species is necessary with respect to the molecule that stimulates energy metabolism and/or specific antioxidants or the type of composition and, accordingly, have not made such an election.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 02-1818.

Respectfully submitted,

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BY 

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Dated: December 3, 2007